



**NOTICE OF BOARD OF ADJUSTMENTS AND APPEALS
OF THE CITY OF BRYAN, TX**

AGENDA

**Regular Meeting
Wednesday, April 19, 2006 – 5:30pm
Council Chambers – Bryan Municipal Building**

- I. Swear in anyone making a statement.**
- II. Recognition of Affidavits filed in response to state law on disclosure of
Local official's conflict of interest.**
- III. Approval of Minutes from March 17, 2005**
- IV. Public Hearing
Austin's Colony Phase Ten, Single Family Residential Home Site Development ,
One Entry – Thirty Lot Maximum, Variance Request**
- IV Adjourn**

FOR INFORMATION ON TDD, SIGN LANGUAGE INTERPRETATION, OR OTHER TRANSLATION OR ACCESSIBILITY INFORMATION, PLEASE CONTACT PUBLIC INFORMATION OFFICER AT (979) 209-5120. PLEASE TRY TO CONTACT THE ABOVE OFFICER AT LEAST 48 HOURS BEFORE THE SCHEDULED MEETING SO THAT YOUR REQUEST MAY BE COMPLETELY FULFILLED.

Board of Adjustment and Appeals

City of Bryan

County of Brazos

On the 19th of April 2006, the Board of Adjustment and Appeals of the City of Bryan, Texas convened in the Council Chambers of the Bryan Municipal Building at 5:30 PM.

B of A&A Members Present:

Victor Drozd
Brett Cumpton
James O'Connell
Raymond Orta
Gilbert Lavender
Jared Bayer

Ex-Officio Members Present:

Danny Sikorski, Chief Building Official
Nathan Sivils, Fire Marshall

Staff Members Present:

Janice Hampton, Assistant City Attorney
Brandy Green, Minutes Taker

- I. Chairman Cumpton called the meeting to order at 5:33 PM.
- II. Chairman Cumpton swore in anyone wishing to make a statement.
- III. Approval of Minutes from March 17, 2005
- III. No affidavits were recognized.

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Chairman Cumpton called the meeting to order.

Chairman Cumpton asked for a motion for approval of the minutes from March 17, 2005. Mr. Drozd made the motion to approve the minutes from March 17, 2005, Mr. O'Connell seconded the motion. The motion was unanimous.

Chairman Cumpton called for the staff report on the Austin's Colony Phase Ten Single Family Residential Home Site Development, One Entry – Thirty Lot Maximum, Variance Request.

Danny Sikorski, Chief Building Official for the City of Bryan, Stated that this is in reference to the Fire Code so he was going to have the Fire Marshall give the staff report. Mr. Nathan Sivils, Fire Marshal, Stated that he received a letter, for a variance request of the International Fire Code Section(s) 503.1.2 Additional Access and Section D107 one – or Two – Family Residential Developments, for one entry into Austin's Colony Phase 10. The Fire Department looked over the plans and submitted comments to Mr. Hester, Stating that the current design will not provide a secondary emergency access to responding emergency apparatus, and there are several design alternatives available for secondary emergency access road, the variance request for 57 single family homes is 90% over what the Fire Code Allows. Mr. Sivils stated at that point he denied the variance request. Chairman O'Connell suggested they would like to receive a reduced map of the areas being talked about in the packets; Mr. O'Connell asked if they brought in any maps to clarify the issues. Mr. Sivils stated he did have some maps, and passed them out. Mr. Sivils stated that the first map they received was Feb 7, 2006 had no emergency access with a

maximum of 57 single family units, we submitted request that we needed that second access. Mr. Silvis, then read again the Fire Code, Mr. Silvis then stated that the connection of Austin's Colony to Old Reliance will not decrease response time, that this is not about response time, it about access. There are other design plans available, and again this is why I denied the variance. Chairman Cumpton asked if the board would like to hear from the Developer, with a response of yes. Mr Mike Hester, Project Engineer, 2900 Brother Blvd. asked if there was any questions. Chairman Cumpton asked if you did have a plan with a second exit out the end, what happened to that. Mr. Hester stated, that they have been going back and forth, due to gas lines, we don't want to have to cross it, and if we do we have to be 4 feet above it, and the cost will go up for all the lots. Mr. Drozd, asked how many pipeline are going across? Mr. Hester stated there is Exxon. Mr. Drozd asked if he could ask the Fire Marshall some questions. Mr. Drozd asked how they came up with 30 single family dwellings with one access. Mr. Silvis stated it was the number of residents, and the amount of Congestion. The amount of cars per dwelling, you could say would be 57 for sure, but today people have more than one car so you are looking at about 115, that will most likely be parking on the road, and this makes it difficult for fire trucks to get down. Another secondary access would be an alley behind the cul-de-sacs, and you would never pass over the gas lines. Chairman Cumpton asked to speak with Mr. Hester again. Chairman Cumpton asked if they looked at the other possibility, or is this totally out to put the access road in. Mr. O'Connell stated that maybe we could find a middle ground. Mr. Lavender stated the Health safety and welfare is a big issue. Chairman Cumpton stated he would like to see some alternative, that is not economically devastating, Chairman Cumpton stated he would have a hard time with this because it is 90% over Mr. Carabba asked to speak and was sworn in, Mr. Carabba stated that there is some compromise, Chairman Cumpton Closed the Public Hearing, and asked for a motion Mr. Drozd made the motion to Deny the variance. Mr. Lavender Seconded the Motion. Mr. Cumpton asked if there was any discussion, there was none. Motion was unanimous.

Motion to adjourn by Chairman Cumpton

Seconded by Mr. O'Connell

All voted to adjourn at 6:16 pm

Chairman Cumpton_____